

## Conseil de sécurité

Distr. GÉNÉRALE

S/1999/727 28 juin 1999 FRANÇAIS ORIGINAL : ANGLAIS

LETTRE DATÉE DU 21 JUIN 1999, ADRESSÉE AU PRÉSIDENT DU CONSEIL DE SÉCURITÉ PAR LE SECRÉTAIRE GÉNÉRAL

J'ai l'honneur de me référer au paragraphe 3 de l'article 13 du Statut du Tribunal international chargé de poursuivre les personnes présumées responsables de violations graves du droit international humanitaire commises sur le territoire de l'ex-Yougoslavie depuis 1991, qui est ainsi libellé:

"Si un siège à l'une des Chambres devient vacant, le Secrétaire général, après avoir consulté les Présidents du Conseil de sécurité et de l'Assemblée générale, nomme une personne réunissant les conditions indiquées au paragraphe 1 ci-dessus pour siéger jusqu'à l'expiration du mandat de son prédécesseur."

À cet égard, permettez-moi de vous rappeler que le juge Gabrielle Kirk McDonald, de nationalité américaine, a donné sa démission de juge aux Chambres du Tribunal international, avec effet au 17 novembre 1999 (elle continuera toutefois de siéger jusqu'à leur terme pour toutes les affaires dont elle a été chargée et pour lesquelles des audiences devraient encore avoir lieu après cette date).

Le Gouvernement des États-Unis d'Amérique a présenté la candidature de Mme Patricia McGowan Wald en remplacement du juge McDonald. Vous trouverez ci-joint son curriculum vitae.

J'estime que Mme Wald répond aux qualifications requises au paragraphe 1 de l'article 13 du Statut du Tribunal international. Je considère en outre que sa nomination permettrait d'assurer une représentation adéquate des principaux systèmes juridiques du monde, conformément aux dispositions de l'alinéa c) du paragraphe 2 de l'article 13 du Statut.

Je souhaiterais donc vous consulter au sujet de la nomination de Mme Wald, conformément au paragraphe 3 de l'article 13 du Statut du Tribunal international. J'attends votre avis sur la question.

(Signé) Kofi A. ANNAN

#### **Annexe**

#### PATRICIA McGOWAN WALD

Lieu et année de naissance : Torrington, Connecticut, 1928

Adresse: 2101 Connecticut Avenue, N.W.

Washington, DC 20008

Situation de famille : Mariée à Robert L. Wald

Baach, Robinson & Lewis, Washington, DC

Cinq enfants: Sarah, Douglas, Johanna, Frederica et Thomas

Études : B. A. (licence ès lettres), Connecticut College

for Women (Phi Beta Kappa; Winthrop Scholar), 1948

LL. B. (licence en droit), Yale Law School (Order of Coif; Case Editor, Yale Law Journal), 1951

Barreaux: Barreau du district de Columbia; barreau de la

Cour suprême fédérale

Fonctions actuelles : Juge à la Cour d'appel fédérale — district de

Columbia

#### ANTÉCÉDENTS

### Principales fonctions dans le domaine juridique

1986-1991 Présidente de la Cour d'appel fédérale - district

de Columbia

1979- Juge à la Cour d'appel fédérale - district de

Columbia

1977-1979 Assistant Attorney General chargée des questions

législatives, Département de la justice

1972-1977 Avocate, Mental Health Law Project

(Directrice du contentieux, 1975-1977)

1972 Directrice du Bureau chargé des grandes questions

de politique générale, campagne de Sargent Shriver, candidat à la vice-présidence des

États-Unis

1971-1972 Avocate, Center for Law and Social Policy

1970 Codirectrice du projet de recherche sur la

toxicomanie financé par la Ford Foundation

1969 Consultante, Commission nationale sur les causes

et la prévention de la violence

1968	Consultante, Comité consultatif national sur les troubles civils
1968-1970	Avocate, Neighborhood Legal Services Program
1967-1968	Avocate, Bureau de la justice pénale, Département de la justice
1966-1967	Consultante, Commission présidentielle sur l'application des lois et l'administration de la justice pénale
1965-1966	Membre de la Commission présidentielle sur la criminalité dans le district de Columbia
1965	Consultante, Conférence nationale sur le droit et la pauvreté
1963-1964	Membre de la Conférence nationale sur la libération sous caution et la justice pénale
1952-1953	Membre du cabinet d'avocats Arnold, Fortas & Porter, Washington, DC
1951-1952	Assistante du juge Jérôme Frank, Cour d'appel fédérale du deuxième ressort

### Autres activités juridiques

American Law Institute, 1972-; Council, 1978-; Executive Committee, 1984-; Program Committee, 1985-88; Chair, 1985-88; Nomination Committee, 1980-; Committee on Institute Size, 1992-94; Second Vice President, 1988-93; First Vice President, 1993-1998 American Bar Association Council of Section on Administrative Law and Business Regulation, 1991-94

American Bar Association, Criminal Justice Section Special Committee on ABA Standards for Criminal Justice, 1986-93

American Bar Association-Institute of Judicial Administration Joint Commission on Juvenile Justice Standards, 1973-77; Executive Committee, 1974-77

American Bar Association Commission to Reduce Court Costs and Delay, 1978-84; Editorial Committee, 1983-84

Advisory Board, ABA Juvenile Justice Standards

Project Implementation, 1982-86

American Bar Association Commission on the

Mentally Disabled, 1984-86

Board of Editors, American Bar Association Journal, 1978-84

Vice Chairman, Drug Abuse Committee, Criminal Justice Section, American Bar Association, 1970-73

Judicial Administration Division, Committee on Federal-State Relations, American Bar Association, 1985-88

Fellow, American Bar Association Foundation, 1984-

Fellow, Institute of Judicial Administration, 1983-92

Board of Governors, D.C. Bar, 1974-77; Executive Committee, 1975-76 Committee on Admissions and Grievances, United States Court of Appeals for the District of Columbia Circuit. 1973-77

D.C. Pretrial Services Agency, Executive Committee, 1982-94

District of Columbia Judicial Conference Committee on the Administration of Justice Under Emergency Conditions, 1972-73

District of Columbia Judicial Conference Committee on the Operation of the Bail Reform Act, 1968-69

Legal Services Corporation, Panel on Support Center Study, 1975-76 Advisory Panel on Criminal Justice, Edna McConnell Clark Foundation, 1981-84

Board of Trustees, Vera Institute of Justice, 1965-72

Editorial Board, Crime and Justice Annual Review of Research, 1979-90

Advisory Board, Yale Law & Policy Review, 1982-

Advisory Board, Environmental Law Reporter, 1984-86

Advisory Board, University of Maryland Law School, 1985-92

National Science Foundation-National Research Council-Committee on Law Enforcement and Administration of Justice, 1985-90

Advisory Board, Constitution, 1988-95

Advisory Board, University of Chicago Law School, 1989-91

Task Force on Technology and Courts (Carnegie Foundation), 1989-92

Board of Editors, Judicial Writing Project

(Federal Judicial Center), 1989-90

Faculty, Law & Justice, Aspen Institute, July 1995

Member, Task Force of D.C. Circuit on Gender and

Racial Bias, 1993-96

United States Judicial Conference Committee on Codes of Conduct, 1987-92

United States Judicial Conference Committee on Case Management, 1996-

Advisory Committee, Project for the Future of Equal Justice, 1998-

### Autres activités

Hauser Global Scholar Selection Committee, New York University
Law School, 1995-97
Open Society Institute, Individual Fellowship Selection Committee, 1996American Academy of Arts and Sciences Fellow, 1991Institute of Medicine, National Science Foundation, 1978-86;
Board of Disease Prevention and Health Care, 1984-86
Board of Trustees, Meyer Foundation, 1976-77
Board of Trustees, Connecticut College, 1976-77
Board of Trustees, Phillips Exeter Academy, 1975-77
Carnegie Council on Children, 1973-77
Board of Trustees, Ford Foundation, 1972-77;
Executive Committee, 1975-77
Member, Sloan Commission on Cable Communications, 1970-71

## Distinctions honorifiques

DISTINGUISHED ALUMNAE AWARD, Connecticut College, 1972 AUGUST VOELMER AWARD, American Society of Criminology, 1976 LAW SCHOOL HONORARY FELLOW, U. Pa. Law School, 1979 DOCTOR HUMANITIES, Mt. Vernon Junior College. 1980 DOCTOR LAWS, George Washington University Law School, 1983 WOMAN LAWYER OF THE YEAR (Women's Bar Assoc. of D.C.), 1984 DOCTOR LAWS, John Jay School of Criminal Justice. 1985 DOCTOR LAWS, Mount Holyoke College, 1985 DOCTOR LAWS, Notre Dame University, 1986 DOCTOR LAWS, CUNY-Queens Law School. 1986 ANNUAL MERIT AWARD, National Association of Women Judges (Division 4), 1986 ANNUAL AWARD, New York Women's Bar Association, 1987 MERIT AWARD, Yale Law School, 1987 DOCTOR LAWS, Georgetown University Law School. 1987 DOCTOR LAWS, Villanova Law School, 1988 DOCTOR LAWS, Amherst College, 1988 DOCTOR LAWS, New York Law School, 1988 DOCTOR LAWS, Colgate University, 1989 DOCTOR LAWS, Washington College of Law, American University, 1989 DOCTOR LAWS, Ohio State University Law School. 1991 DOCTOR LAWS, New England College, 1991 DOCTOR LAWS, Hofstra University School of Law. 1991 HONORARY ORDER OF THE COIF, University of Maryland Law School, 1991

DOCTOR LAWS, Suffolk University Law School, 1991 HONOREE, Women's Bar Association's 75th Anniversary, 1992 SANDRA DAY O'CONNOR MEDAL OF HONOR, Seton Hall Law School, 1993

MARGARET BRENT WOMEN LAWYERS OF ACHIEVEMENT AWARD (American Bar Association Commission on Women in the Profession), 1994 NATIONAL ASSOCIATION OF WOMEN JUDGES ANNUAL AWARD, 1994 DOCTOR LAWS, Vermont Law School, 1995 JUVENILE LAW CENTER AWARD, 1995

TRIAL LAWYERS ASSOCIATION OF METROPOLITAN WASHINGTON AWARD FOR JUDICIAL EXCELLENCE, 1998

THE DISTRICT OF COLUMBIA BAR THURGOOD MARSHALL AWARD, 1998

## <u>Publications</u>

### I. Justice pénale

BAIL IN THE UNITED STATES (with Daniel J. Freed 1964)

Pretrial Release and Ultimate Freedom: A Statistical Study - Foreword, 39 N.Y.U. L. REV. (1964)

The Bail Reform Act of 1966, 52 A.B.A. J. 940

(with Daniel J. Freed 1966)

Bail Reform: A Decade of Promise Without Fulfillment, in RIGHTS OF THE ACCUSED (1972)

Poverty and Criminal Justice, Task Force on the Courts, President's Committee on Law and the Administration of Justice (1967), reprinted in THE SOCIOLOGY OF PUNISHMENT AND CORRECTION (Johnson, Savitz, Wolfgang, 2d ed.)

Alcohol, Drugs and Criminal Responsibility, 63 GEO. L. J. 69 (1974) Corrections: The Unequal Partner (Keynote Address to the American Correctional Association, 1980), reprinted in CORRECTIONS TODAY (Sept./Oct. 1980)

Book Review, 64 JUDICATURE 292 (Dec.-Jan. 1981)

(reviewing Kamisar, Police Interrogation and Confessions)

The Unreasonable Reasonableness Test for Fourth Amendment Searches, 4 CRIM. JUST. ETHICS 2 (1985)

A Report From the Front in the War on Drugs (The Henry J. Miller Distinguished Lecture Series), 7 GA. STATE U. L. REV. 1 (Fall 1990)

Violence Under the Law: A Judge's Perspective, in LAW'S VIOLENCE (Sarat & Kearns ed., Amherst Series, 1992)

Guilty Beyond a Reasonable Doubt: A Norm Gives Way to the Numbers, 1993 U. CHL LEGAL F. 101

A Retrospective on the Thirty-Year War Against Crime (Keynote Address to Symposium on 30th Anniversary of President's Commission on Law Enforcement and Administration of Justice), reprinted in U.S. DEPT. OF JUSTICE, THE CHALLENGE OF CRIME IN A FREE SOCIETY: LOOKING BACK LOOKING FORWARD (June 1997)

II. La jeunesse et le droit

New Vistas for the Juvenile Court, 37 PITTSBURGH B.A.Q. 37 (1968) Trying a Juvenile Right to Treatment Case: Pointers and Pitfalls for Plaintiffs, 12 CRIM. L. REV. 125 (Summer 1974) (with Lawrence Schwartz)

Making Sense Out of the Rights of Youth, HUM. RTS. (Winter 1974), reprinted in 40 CHILD WELFARE (June 1976)

Juvenile Detention, in PURSUING JUSTICE FOR THE CHILD (1977)

Contributor to ALL OUR CHILDREN (Report of Carnegie Council on Children, Harcourt Brace 1977)

A Right to Counsel for School Psychologists?,

6 SCH. PSYCHOLOGY DIG. (1977)

The Rights of Children and the Rites of Passage, in CHILD PSYCHIATRY AND THE LAW (Schetsky-Benedek ed. Brunner-Nagel 1980)

Book Review, AM. J. PSYCHIATRY (July 1977) (reviewing CHILDREN'S RIGHTS AND THE MENTAL HEALTH PROFESSION)

Book Review, 248 J. Am. MED. A. 1110 (1982) (reviewing ZIMRING, A JURISPRUDENCE FOR ADOLESCENTS)

Book Review, The Kindness of Strangers, 97 YALE L. J. 1477 (1988) reviewing GOLDSTEIN, FREUD, SOLNIT, IN THE BEST INTERESTS OF THE CHILD)

Doing Right by Our Kids: A Case Study in the Perils of Making Policy on Television Violence (Publication by Division of General Pediatrics and Adolescent Health, University of Minnesota) (1994), reprinted in 23 U. BALT. L. REV. 297 (1994)

Foreword, JUVENILE JUSTICE STANDARDS ANNOTATED (ABA) (1996)

Goss v. Lopez: Not the Devil, No: the Panacea, Federalist Society

Symposium: The Rights Revolution, 1 MICH. L. & POL'Y REV. 331

(1996)

## III. Les handicapés mentaux et le droit

The Right to Education, and other articles in LEGAL RIGHTS OF THE MENTALLY HANDICAPPED (Practicing Law Institute 1974)

Basic Personal and Civil Rights of the Mentally Retarded in THE MENTALLY RETARDED CITIZEN AND THE LAW (President's Council on Mental Retardation, Free Press 1976)

Advocacy for the Mentally Retarded Offender, Working Papers from Charleston, South Carolina, Symposium on the Mentally Retarded Citizens and the Criminal Justice System (1975)

The Politics of Mental Health Advocacy in the United States (with Paul Friedman) in LAW AND PSYCHIATRY (Proceedings of the Second International Symposium, Toronto, Canada) (1978)

Dealing With Drug Abuse - A Report to the Ford Foundation (with Peter Barton Hutt) (Praeger Press 1972)

The Organized Bar and Drug Abuse, SAN FRANCISCO B. J. (Dec. 1972)
The Right to Refuse Treatment, ADDICTIONS (Spring 1974)

## IV. <u>La pauvreté, la chose publique et le droit</u>

Law and Poverty (Report to the National Conference on Law and Poverty) (1965)

Law and the Grievances of the Poor, in Law and Order Reconsidered, Staff Report #10 of the Task Force on Law and Law Enforcement to the National Commission on the Causes and Prevention of Violence (1969)

Ten Admonitions for Legal Services Advocctes Contemplating Federal Litigation, 27 CLEARINGHOUSE REV. No. 1 (May 1993)
Legal Services in the '90s, 1 HYBRID 1 (1993); 7 MAN. INFO.
EXCHANGE 3 (1993)

Whose Public Interest Is It Anyway?: Advice for Altruistic Young Lawyers, 47 ME. L. REV. 4 (1995)

"For the United States": Government Lawyers in Court, 61 LAW & CONTEMP. PROBS. 107 (1998)

### V. Droit administratif

Making "Informed Decisions in the District of Columbia Circuit, 50 GEO. W. L. REV. 135 (1982)

Judicial Review of Complex Administrative Agency Decisions, in THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE (July 1982)

Judicial Review of Economic Analyses, 1 YALE J. REG. 43 (1983)
The Freedom of Information Act: A Short Case Study of the Perils and
Paybacks of Legislating Democratic Values, 33 EMORY L.J. 649 (984),
reprinted in Sargentich, ADMINISTRATIVE LAW ANTHOLOGY (1994)

/...

ACUS, Colloquium on Regulatory Design & Practice (1983) (Lecture Summary #12 - "Why We Reverse") Deregulation in the Courts. in THE IMPACT OF DEREGULATION AND MARKET FORCES ON PUBLIC UTILITIES: THE FUTURE ROLE OF REGULATION (1985) Judicial Review of Transportation Deregulation. Eastern Transportation Law Seminar Papers & Proceedings (1984) Environmental Negotiation: A New Role for the Courts, 10 COL. J. ENVT'L L. 1 (1985) The Realpolitik of Judicial Review in a Deregulation Era, 5 J. Pol'y Analysis & Mgt. 535 (1986) Administrative Law As Seen From the D.C. Circuit (Interview) F.B.J. (Jan. 1987) Interview With Patricia Wald, 3 NAT. RES. & ENV. 32 (1988) The Contribution of the D.C. Circuit to Administrative Law, 40 ADMIN. LAW. REV. 507 (1988) Some Thoughts on Beginnings and Ends: Court of Appeals Review of Administrative Law Judges' Findings and Opinions, 67 WASH. UNIV. LAW QUARTERLY 661 (1989) The "New Administrative Law" - With the Same Old Judges In It?, 1991 DUKE L.J. 647 ABA Symposium on FOIA's 25th Anniversary, GOVT INFO. Q. (1991) The Role of the Judiciary in Environmental Protection, 191 B.C. ENVTL. AFF. L. REV. 519 (1992) The Cinematic Supreme Court: 1991-92 Term (ACUS Conference), 7 ADMIN. L.J. AM. U. 238 (1993) Colloquium, The Fifth Annual Robert C. Byrd Conference on the Administrative Process, 8 ADMIN. L. J. AM. U. 23 (1994) Regulation at Risk: Are Courts Part of the Solution or Most of the Problem?, 67 S. CAL. L. REV. 621 (1994) Environmental Postcards From the Edge, XXVI ENVIL. L. REP. No. 4 (April 1996) Judicial Review - Fiftieth Anniversary of the Administrative Procedure Act. 48 ADMIN. L. REV. 350 (1996) Judicial Review in Midpassage: The Uneasy Partnership Between Courts and Agencies Plays On, 32 TULSA L.J. 221 (1996) Thirty Years of Administrative Law in the D.C. Circuit, 11 ADLAW BULLETIN No. 13 (Pike & Fischer) (July 22, 1997) Judicial Review in the Time of Cholera, 49 ADMIN. L. REV. 659 (1997) ADR and the Courts: An Update, 46 DUKE L.J. 1445 (1997)

# VI. <u>Interprétation des lois</u>

Some Observations on the Use of Legislative History in the 1981-82 Supreme Court Term, 68 IOWA L. REV. 195 (Jan. 1983)

The Sizzling Sleeper: The Use of Legislative History in Construing Statutes in the 1988-89 Term of the United States Supreme Court, 39 Am. U. L. REV. 277 (1990)

Testimony Before Subcommittee on Courts, H. Rep. Comm. on the Judiciary, 101<sup>st</sup> Cong., 2d Sess. (1990), "Statutory Interpretation and the Uses of Legislative History" 3-20

Testimony Before Joint Committee on the Operation of Congress, 103d Cong., 1st Sess. (1993) on "Interbranch Relations" 75-101

# VII. <u>Droit constitutionnel</u>

Judicial Review and Constitutional Limitations (Panel Presentation) 14 GOLDEN GATE U. L. REV. 645 (1984)

Life on the D.C. Circuit, 72 MINN. L. REV. 1 (1987)

Two Unsolved Constitutional Problems, 49 PITTSBURGH L. REV 753 (1988)

Governmental Benefits: A New Look at an Old Gifthorse, 65 N.Y.U. L. REV. (1990)

Constitutional Comundrums, 61 U. Col. L. Rev. 727 (1990)

"One Nation Indivisible, With Liberty and Justice for All": Lessons From the American Experience for New Democracies,

39 FORD. L. REV. 283 (1990)

Upstairs/Downstairs at the Supreme Court: Implications of the 1991 Term for the Constitutional Work of the Lower Courts,

61 U. CIN. L. REV. 771 (1993)

A Tale of Four Clauses: Constitutional Protection Against Excessive Regulation in the United States (Forum for U.S.-EC Legal-Economic Affairs Publication, 1993)

Symposium, Constitutional 'Refolution' in the Ex-Communist World: The Rule of Law, 12 Am. U. J. INT'L L. & POL'Y 116 (1996)

Looking Forward to the Next Millennium: Social Previews to Legal Change, 70 TEMPLE L. REV. 1085 (1997)

Justice Hugo Black, the First Amendment, and Campaign Reform (Halpert Lecture at Wesleyan University, Nov. 1997)

# VIII. Procédure et administration de la justice

Friends of the Court, in APA MONITOR (Feb. 1982)

The Problem With the Courts: Black-Robed Bureaucracy or Collegiality

Under Challenge, 42 U. MD. L. REV. 501 (1983), reprinted in TRIAL (ATLA) (June 1984)

Litigation in America: Introduction, 31 UCLA L. REV. 1 (1983)

Bureaucracy and the Courts, 92 YALE L.J. 1478 (1983)

Inside the D.C. Circuit: Address to Annual Meeting of District of Columbia Bar, reprinted in DISTRICT LAWYER (July-Aug. 1983)

Thoughts on Decisionmaking, 87 W. VA. L. REV. 1 (1984)

Interview: THE THIRD BRANCH, Vol. 18, No. 7 (July 1986)

The Court of Appeals: Address to Administrative Law and Agency Practice and Environment, Energy and Natural Resources Division of the District of Columbia Bar, reprinted in DISTRICT LAWYER (July-Aug. 1986)

Some Thoughts on Judging, 100 HARV. L. REV. 887

(Hundredth Anniversary Issue) (1987)

Administering Justice, St. John's University Third Annual Joseph Belsky Memorial Lecture (February 1987)

Changing Course: The Use of Precedent in the District of Columbia Circuit, 34 CLEV. St. L. REV. 477 (1985-86)

The D.C. Circuit: Here and Now, 55 GEO. WASH. L. REV. (1987)

Book Review, 7 J. POL'Y ANALYSIS & MGM'T. 373 (Winter 1988) (reviewing STORM CENTER: THE SUPREME COURT IN AMERICAN POLITICS)

Technology and the Courts, in SCIENCE & TECHNOLOGY ADVICE TO THE PRESIDENT, CONGRESS, AND JUDICIARY (Golden ed. 1988)

Limits on the Use of Economic Analysis in Judicial Decisionmaking, 50 LAW AND CONTEMPORARY PROBLEMS 225 (1988)

"Some Exceptional Condition"—The Anatomy of a Decision Under Federal Rule of Civil Procedure 53(b), 62 ST. JOHN'S L. REV. 405 (1988)

Colloquy: Human Voice in Legal Discourse - Disembodied Voices - An Appellate Judge's Response, 66 TEX. L. REV. 623 (1988)

Three Challenges to the Legal Profession, 36 FED. B. NEWS & J. 227 (June 1989)

Random Thoughts on a Random Process: Selecting Appellate Judges, 6 THE JOURNAL OF LAW & POLITICS 15 (1989)

Calendars, Collegiality, and Other Intangibles on the Court of Appeals, in THE FEDERAL APPELLATE JUDICIARY IN THE 21<sup>51</sup> CENTURY (Federal Judicial Center, 1990)

Selecting Law Clerks, 89 MICH. L. REV. 152 (1990)

The Conscience of a Judge, 25 SUFFOLK U. L. REV. 619 (1992)

Some Real-Life Observations About Judging, 26 IND. L. REV. 173 (1992) "... Doctor, Lawyer, Merchant, Chief", 60 GEO. WASH. L.REV. 1127 (1992) Communicating With Juries (Panel Two: Innovations for Improving Communications and Views from Appellate Courts). 68 IND. L. J. 1061 (1993) Collegiality on a Court, 40 FED. B. NEWS & J. 521 (Sept. 1993) Law Clerks: The Transformation of the Judiciary, The Long-Term View, Vol. 3, No. 1 (1995) (Interview) The Rhetoric of Results and the Results of Rhetoric: Judicial Writings. 62 U. CHI. L. REV. 1371 (1995) 17 Tips From 17 Years on the Appellate Bench, The Appellate Advocate (AAAL) (Fall, 1996) Hans Linde and the Elusive Art of Judging: Intellect and Craft Are Never Enough, 75 TEX. L. REV. 215 (1996) Summary Judgment at Sixty, 76 Tex. L. Rev. 1897 (1998) A Twenty-Year Retrospective on Life and Law in the D.C. Circuit Cosmos Club Speech (excerpted in Cosmos Club Bulletin) (1998) 19 Tips From 19 Years on the Appellate Bench, 1 J. APP. PRAC. & PROCESS 7 (U. ARK. LITTLE ROCK SCHOOL OF LAW) (1999) A Response to Tiller and Cross (A Modest Proposal for Improving American Justice), 94 COLUM. L. REV. 701 (1999)

### IX. Les femmes et le droit

The Role of Morality in Judging: A Woman Judge's Perspective, in LAW AND EQUALITY 3 (May 1986) Women in the Law: Stage Two, 52 UMKC L. REV. 45 (1983) Building Bridges Not Walls, 71 WOMEN'S L.J. 25 (1985) Remarks at 1985 Conference on Women and the Law Women in the Law, 16 HUMAN RIGHTS 40 (1989) Some Unsolicited Advice to My Women Friends in Eastern Europe. 46 SMU L. REV. 557 (1993) Civilization's Unfinished Business: Violence Against Women (Keynote Speaker to International Women Judges Rome Conference on Domestic Violence). excerpted in COUNTERBALANCE INTERNATIONAL (Newsletter of International Association of Women Judges), Vol. 3, No. 1 (Summer 1994) "What About the Kids?", 8 FED. SENT. REP. #3 (Dec. 1995) (Gender and Sentencing Symposium), reprinted in HIGHLIGHTS FROM A DECADE OF GUIDELINES SENTENCING, 10 Fed. SENT. Rep. #1 (1997)

Presentation to Pennsylvania Judicial Conference on Treatment of Women Offenders, July, 1996 (Part I in NAWJ Training Materials)

Glass Ceilings and Open Doors: A Reaction,
65 FORDHAM L.REV. 603 (1996)

### X. Divers

Justice in the 95th Congress: An Overview, 64 A.B.A. J. 1854 (Dec. 1978) Graduation Address, 1979, University of Pennsylvania Law School. reprinted in 14 U. Pa. ALUMNI J. 13 (Summer 1979) Commencement Address, 1982, 32 CATH. U. L. REV. (1983) Commencement Address, 1983, George Washington University Law School, reprinted in LEGAL TIMES, Vol. 6, No. 9 (Aug. 1, 1983) Senior Day Address, 1984, University of Michigan Law School, reprinted in 29 LAW QUADRANGLE NOTES 37 (Fall 1984) Teaching the Trade: An Appellate Judge's View of Practice-Oriented Legal Education, 36 J. LEGAL EDUC. 35 (1986) On the Cusp, Commencement Address, 1987, Georgetown University Law Center, reprinted in RES IPSA LOQUITER (Fall, 1987) Commencement Address, Washington College of Law, reprinted in THE ADVOCATE (Fall, 1989) Becoming a Player: A Credo for Young Lawyers, 51 MD. L. REV. 422 (1992) Remarks at The 1993 Sandra Day O'Connor Medal of Honor Recipient, 24 SETON HALL L. REV. 552 (1993) How I Write, 4 SCRIBES J. OF LEGAL WRITING 55 (1993)

#### XI. Mélanges

Tribute to Judge Rita C. Davidson, 44 MD. L. REV. 249 (1985)
Remarks at Presentation of Portrait of Judge Carl McGowan,
761 F.2d LXXXI (1985)
Thomas I. Emerson: A Dedication, 38 CASE WEST. RES. L. REV. 40 (1988)
In Memoriam: Carl McGowan, 82 N.W. LAW REV. 215,
852 F.2d LXXXIX (1988)
In Memoriam: J. Skelly Wright, 102 HARV. L. REV. 363 (1988)
Remarks at Thurman Arnold Remembered: A Centennial Celebration
(Special Printing) (Oct. 30, 1991)
Remarks at Presentation of Portrait of Judge Harold Leventhal,
958 F.2d LXXXVI (1992)

Remarks at Memorial Service for Judge David L. Bazelon, reprinted in CONG. REC. Feb. 23, 1993, at H729; LEGAL TIMES, March 1, 1993

Judge Arnold and Individual Rights, 78 MINN. L. REV. 35 (1993)

Tribute to Judge Bazelon, 82GEO. L. J. 19 (1993)

Ghosts of Judges Past, 62 GEO. WASH. L. REV. 675 (1994)

A Tribute to Dean Robert A. Stein, 80 MINN. L. REV. 21 (1995)

"To Feel the Great Forces": The Times of Burke Marshall, 105 YALE L.J. 611 (1995)

Remarks at Presentation of Portrait of Judge Harold H. Greene, 967 F. Supp. LXVII (1997)

# Activités internationales

1973-1977	Comité international, Fondation Ford
Juillet 1987	Participation à des séminaires du Conseil fédéral de la magistrature canadien, Vancouver
Août 1987	Participation aux premiers échanges américano-canadiens dans le domaine juridique
Juillet 1989	Participation en tant qu'enseignante à un séminaire à Salzbourg (Le droit et les institutions juridiques des États-Unis)
Juin 1990	Observation des élections en Bulgarie, National Democratic Institute for International Affairs (NDI)
Mars 1991	Participation en qualité d'enseignante à un atelier organisé à l'intention de juges tchécoslovaques (Prague), CEELI
Avril 1991	Animation d'une table ronde sur les changements constitutionnels en Europe de l'Est, American Society of International Law Proceedings (quatre-vingt-cinquième réunion annuelle, avril 1991) 326
Juillet 1991	Enseigne pour l'Institut canadien d'études juridiques supérieures, Cambridge
Août 1991	Participation à un séminaire sur l'application des politiques environnementales aux États-Unis et en Russie, Bellagio (Italie) (American Academy of Arts and Sciences)
Août 1991	Participation en qualité d'enseignante à un atelier organisé à l'intention de juges roumains (USIA/Département d'État), Poine-Brasov (Roumanie)
Décembre 1991	Participation en qualité d'enseignante à un atelier organisé à l'intention de parlementaires bulgares (Service de recherche du Congrès), Sofia
Décembre 1991	Participation en qualité d'enseignante à un séminaire sur la gestion des affaires publiques en temps de crise (NDI), Moscou
1993-1996	Cours d'éthique de la magistrature à l'intention de juges étrangers au Centre judiciaire fédéral
1993-1994	Comité consultatif, American Bar Association (CEELI)
1994-1997, 1998-	Conseil d'administration, CEELI

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1990-1999	Critiques (environ 25) des Constitutions russe, roumaine, tchécoslovaque, bélarussienne et bosniaque, et de diverses réformes judiciaires pour la CEELI
1992-1994	Participation à un atelier sur la Constitution lituanienne organisé par la CEELI (critique du projet de constitution lituanienne; élaboration de l'ordre du jour pour la délégation des États-Unis en Lituanie; organisation de journées d'étude à Washington à l'intention de délégués lituaniens aux États-Unis)
Mai 1992	Congrès d'avocats lituaniens et américains, Vilnius (deux exposés sur la Constitution et les tribunaux) (textes reproduits dans les Actes du Congrès, Vilnius, 1993)
Juin 1992	Participation aux réunions de la CSCE sur les Accords d'Helsinki
Juillet 1992	Participation en qualité d'enseignante à un séminaire juridique à l'intention d'officiels de la Communauté d'États indépendants (Département d'État des États-Unis/Centre fédéral de la magistrature) (ces communications sur la Constitution et les tribunaux ont été utilisées comme matériel didactique)
Janvier 1993	Atelier de la CEELI sur la gestion des affaires publiques en Russie : élaboration d'une constitution pour une société démocratique (participation à la table ronde sur la magistrature)
Janvier 1993	Téléconférence organisée par USIA avec le Women's Advisory Council for Western Australia à Perth
17-19 mai 1993	Participation à un atelier de la CEELI sur l'élaboration d'un code pénal pour le Kazakhstan
10-22 août 1993	Participation à un colloque sur le droit administratif organisé par ACUS à l'intention d'officiels chinois, Beijing (Chine)
31 août- 3 septembre 1993	Exposé à un colloque sur des questions juridiques et économiques (États-Unis-Communauté européenne), deuxième session plénière, Édimbourg (Écosse)
14-18 novembre 1993	Exposé à un atelier de la CEELI sur l'indépendance de la magistrature à Bratislava et Brno (République tchèque)
26-29 avril 1994	Exposé à un colloque sur la Constitution polonaise (NDI), Varsovie (Pologne)

27-29 mai 1994	Orateur principal à la Conférence de l'Association internationale des femmes juges sur la violence familiale, Rome (Italie)
Été 1994-1995	Échange de magistrats entre les États-Unis et l'Égypte (membre de l'équipe) (Centre fédéral de la magistrature/Université George Washington)
Avril 1995	Juriste invitée à l'Institut de formation du Conseil canadien de la magistrature, Québec
16 novembre 1995	Exposé devant la Cour suprême ukrainienne sur le projet de loi relatif à la magistrature (CHECCI)
18 novembre 1995	Orateur principal à la Canadian Judicial Conference on Aspects of Equality: Rendering Justice, Ottawa, Québec (allocution reproduite dans Conference Papers)
Février 1996	Atelier de la CEELI en Bosnie, conférence sur l'éthique de la magistrature, Sarajevo
10-17 mars 1996	Chef de la délégation américaine dans le cadre des échanges de magistrats entre l'Égypte et les États-Unis; conférence à la faculté de droit de l'Université du Caire
Avril 1996	Exposé devant des magistrats de la Cour constitutionnelle slovaque en visite aux États-Unis (CEELI)
Avril 1996	Exposé devant des magistrats de la Cour constitutionnelle du Bélarus en visite aux États-Unis (CEELI)
Septembre 1996	Colloque : Constitutional "Revolution" in the Ex-Communist World: The Rule of Law (Washington College of Law - orateur)
16-19 décembre 1996	"Problèmes auxquels sont confrontées les nouvelles cours constitutionnelles" — Budapest (Hongrie) (ARD/CHECCHI/CSSE/SOROS) (animatrice de tables rondes sur la séparation des pouvoirs et les relations avec la presse organisées à l'intention de magistrats géorgiens, arméniens et bulgares)
10-13 mars 1996	Atelier sur les tribunaux constitutionnels (CHECCHI/SOROS) Paris (France) (animatrice de tables rondes sur l'indépendance de la magistrature organisées à l'intention de magistrats du Kazakhstan, du Kirghizistan et de Mongolie
Mars 1998	Atelier de la CEELI sur la séparation des pouvoirs et l'indépendance de la magistrature, Belgrade, Serbie (divers exposés)

3 novembre 1998	Exposé à un atelier de la CEELI sur l'éthique à l'intention de la magistrature de l'Ouzbékistan
9 novembre 1998	Exposé sur l'administration de la justice à un atelier organisé à l'intention de juges argentins
20 octobre 1998	Discours sur l'indépendance de la magistrature en Europe de l'Est — Women's Foreign Policy Forum (Washington)